

UNITED STATES OF AMERICA)	DOCKET NO. 1:19CR064
)	
vs.)	
)	
ELLEN MADANS FROST)	
)	

NOW JOINTLY COME the United States of America, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, and the Defendant, who hereby respectfully submit this motion to continue the trial in this matter, currently set for March 30, 2020.

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positive for the disease. This is complicated by the ability of an infected person to spread the disease up to five days before that person begins to display symptoms and realizes that he or she has become infected.

The United States has issued subpoenas for at least four witnesses who would likely have to travel by air, coming from New York, New Jersey, southern Florida, and California. Their ability to travel might be significantly impaired by the restrictions on travel, which appear to be tightening daily. The Defendant's attorney has received word from several defense witnesses who have similarly questioned their ability to appear. Additionally, one of the members of the defense team is already undergoing self-quarantine, negatively affecting the defense's readiness for trial.

It is also reasonable to question whether, by March 30, 2020, the minimum necessary number of potential jurors will be able to appear in Court for the jury selection process. Finally, there is the danger that the gathering of the court personnel, jurors, parties, and more than 30 witnesses could further the spread of the infection.

The parties note that on March 13, 2020, the Court issued a directive addressing the policies and practices of the Court during the public health emergency. In that directive, entitled "In Re: Coronavirus COVID-19," the Court ordered that "the time period of the continuances implemented as a result of this

Directive will be excluded under the Speedy Trial Act, as the Court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and the defendant's rights to a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A)."

Counsel for the Defendant has informed the undersigned that he may represent to the Court that this is a joint motion.

WHEEFORE, the parties respectfully move that this Court find, pursuant to 18 U.S.C. § 3161(h)(7)(A), that the interests of justice outweigh the right to a speedy trial in this case, and continue the trial from March 30, 2020, to a date that the Court deems appropriate and reasonable.

Respectfully submitted, this 16th day of March, 2020.

R. ANDREW MURRAY
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/s/ Richard Lee Edwards

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